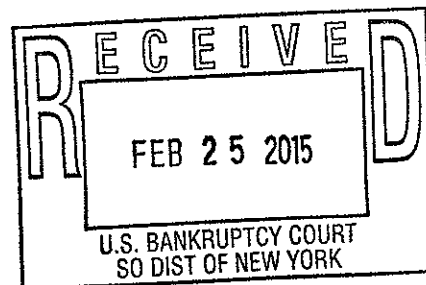


Exhibit 4

**Robertson's Notice of Debtor Defendants Bankruptcy
To Superior Court**



FILED

12 OCT 12 AM 9:00

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 12-2-19854-3 SEA

**SUPERIOR COURT OF WASHINGTON
COUNTY OF KING**

Duncan K. Robertson,

Plaintiff,

vs.

GMAC Mortgage, LLC; Executive
Trustee Services, LLC; Residential
Funding Real Estate Holdings, LLC;
Residential Funding Company, LLC;
Residential Funding Corporation;
Homecomings Financial, LLC; LSI Title
Agency, Inc.; JP Morgan Chase Bank
N.A.; Bank One National Association;
Bank of New York Trust Company N.A.;
First American Title Insurance Company;
DOES 1- 100; and all other persons or
parties unknown claiming any right, title,
estate, lien, or interest in the real estate
described herein,

Defendants.

NO. 12-2-19854-3 SEA

**NOTICE OF
BANKRUPTCY STAY
AS TO DEFENDANTS:**

GMAC MORTGAGE, LLC.
EXECUTIVE TRUSTEE SERVICES, LLC
HOMECOMINGS FINANCIAL, LLC
RESIDENTIAL FUNDING REAL ESTATE
HOLDINGS, LLC
RESIDENTIAL FUNDING COMPANY,
LLC

(Clerk's Action Required)

COMES NOW plaintiff and hereby notifies the court as follows:

Plaintiff learned after filing the complaint in this case that the following parties which
are named as defendants herein are debtors in chapter 11 bankruptcy cases that were filed on
May 14, 2012 in the U.S. Bankruptcy Court for the Southern District of New York. As a
result of said bankruptcy cases, the proceedings herein as to each of the defendants listed

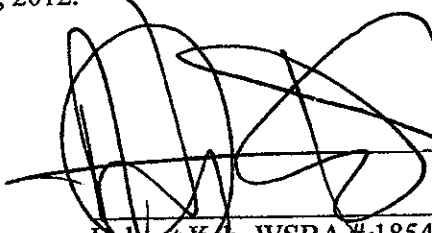
1 above are stayed and enjoined unless the Bankruptcy Court grants relief from the stay or the
2 bankruptcy case as to a defendant is dismissed or as may otherwise be provided by order of
3 the Bankruptcy Court.

4 Defendant	Bankruptcy Case No.	Date Filed
5 GMAC MORTGAGE, LLC.	12-12032 (MG)	May 14, 2012
6 Executive Trustee Services, LLC	12-12028 (MG)	May 14, 2012
7 Homecomings Financial, LLC	12-12042 (MG)	May 14, 2012
8 Residential Funding Real Estate Holdings, LLC	12-12062 (MG)	May 14, 2012
9 Residential Funding Company, LLC	12-12019 (MG)	May 14, 2012

10
11 All proceedings in the above-entitled case as to the above-listed defendants are stayed.

12 A true copy of the NOTICE OF CHAPTER 11 BANKRUPTCY CASES, MEETING
13 OF CREDITORS, AND DEADLINES is attached to this notice.

14 DATED this 11th day of October, 2012.

15
16
17 
18 Helmut Kah, WSBA # 18541
Attorney for plaintiff

CERTIFICATION OF SERVICE

I, Helmut Kah, hereby certify that on October __, 2012, I mailed a true copy of the document to which this notice is appended, together with any attachments, to Jennifer T. Karol, counsel for the defendant First American Title Insurance Company, by first class mail with postage prepaid addressed as follows:

Jennifer T. Karol
Hanson Baker Ludlow Drumheller P.S.
2229 – 112th Ave NE, Suite 200
Bellevue, WA 98004-2936
Phone: 425-454-3374
Email: jkarol@hansonbaker.com

DATED: October __, 2012

Helmut Kah, WSBA # 18541
Attorney for plaintiff

UNITED STATES BANKRUPTCY COURT, SOUTHERN DISTRICT OF NEW YORK		
In re Residential Capital, LLC, et al., Debtors.		Chapter 11 Case No: 12-12020 (MG) (Jointly Administered)
NOTICE OF CHAPTER 11 BANKRUPTCY CASES, MEETING OF CREDITORS, AND DEADLINES		
Chapter 11 bankruptcy cases concerning the Debtors listed below were filed on May 14, 2012. You may be a creditor of one of the Debtors. This notice lists important deadlines. You may want to consult an attorney to protect your rights. All documents filed with the Bankruptcy Court, including lists of the Debtors' properties and debts, are available for inspection at the office of the Clerk of the Bankruptcy Court and the Bankruptcy Court's website, www.nysb.uscourts.gov or by accessing the website maintained by the Debtors' claims and noticing agent, www.kcellc.net/rescap . Note that a PACER password is needed to access documents on the Bankruptcy Court's website (a PACER password may be obtained by accessing the PACER website, http://pacer.psc.uscourts.gov). NOTE: The staff members of the office of the Clerk of the Bankruptcy Court and the Office of the United States Trustee cannot give legal advice.		
If you have any questions regarding this notice, please call the ResCap Restructuring Hotline at (888) 251-2914. You may also submit an inquiry online at www.kcellc.net/rescap .		
Name of Debtor	Case Number	Tax Identification Number
1 Residential Funding Company, LLC	12-12019 (MG)	93-0891336
2 Residential Capital, LLC	12-12020 (MG)	20-1770738
3 ditceh, LLC	12-12021 (MG)	23-2887228
4 DOA Holding Properties, LLC	12-12022 (MG)	26-1424257
5 DOA Properties IX (Lots-Other), LLC	12-12023 (MG)	26-2783274
6 EPRE LLC	12-12024 (MG)	26-2747974
7 Equity Investment I, LLC	12-12025 (MG)	02-0632797
8 ETS of Virginia, Inc.	12-12026 (MG)	26-4051445
9 ETS of Washington, Inc.	12-12027 (MG)	45-2910665
10 Executive Trustee Services, LLC	12-12028 (MG)	23-2778943
11 GMAC-RFC Holding Company, LLC	12-12029 (MG)	23-2593763
12 GMAC Model Home Finance I, LLC	12-12030 (MG)	26-2748469
13 GMAC Mortgage USA Corporation	12-12031 (MG)	20-4796930
14 GMAC Mortgage, LLC	12-12032 (MG)	23-1694840
15 GMAC Residential Holding Company, LLC	12-12033 (MG)	91-1902190
16 GMACRH Settlement Services, LLC	12-12034 (MG)	23-3036156
17 GMACM Borrower LLC	12-12035 (MG)	45-5064887
18 GMACM REO LLC	12-12036 (MG)	45-5222043
19 GMACR Mortgage Products, LLC	12-12037 (MG)	03-0536369
20 HFN REO Sub II, LLC	12-12038 (MG)	None
21 Home Connects Lending Services, LLC	12-12039 (MG)	25-1849412
22 Homecomings Financial Real Estate Holdings, LLC	12-12040 (MG)	26-2736869
23 Homecomings Financial, LLC	12-12042 (MG)	51-0369458
24 Ladue Associates, Inc.	12-12043 (MG)	23-1893048
25 Passive Asset Transaction, LLC	12-12044 (MG)	51-0404130
26 PATI A, LLC	12-12045 (MG)	26-3722729
27 PATI B, LLC	12-12046 (MG)	26-3722937
28 PATI Real Estate Holdings, LLC	12-12047 (MG)	27-0515201
29 RAHI A, LLC	12-12048 (MG)	26-3723321
30 RAHI B, LLC	12-12049 (MG)	26-3723553
31 RAHI Real Estate Holdings, LLC	12-12050 (MG)	27-0515287
32 RCSFJV2004, LLC	12-12051 (MG)	20-3802722
33 Residential Accredited Loans, Inc.	12-12052 (MG)	51-0368240
34 Residential Asset Mortgage Products, Inc.	12-12053 (MG)	41-1955181
35 Residential Asset Securities Corporation	12-12054 (MG)	51-0362653
36 Residential Consumer Services of Alabama, LLC	12-12055 (MG)	63-1105449
37 Residential Consumer Services of Ohio, LLC	12-12056 (MG)	34-1754796
38 Residential Consumer Services of Texas, LLC	12-12057 (MG)	75-25010515
39 Residential Consumer Services, LLC	12-12058 (MG)	20-4812167

40	Residential Funding Mortgage Exchange, LLC	12-12059 (MG)	41-1674247
41	Residential Funding Mortgage Securities I, Inc.	12-12060 (MG)	75-2006294
42	Residential Funding Mortgage Securities II, Inc.	12-12061 (MG)	41-1808858
43	Residential Funding Real Estate Holdings, LLC	12-12062 (MG)	26-2736505
44	Residential Mortgage Real Estate Holdings, LLC	12-12063 (MG)	26-2737180
45	RFC-GSAP Servicer Advance, LLC	12-12064 (MG)	26-1960289
46	RFC Asset Holdings II, LLC	12-12065 (MG)	41-1984034
47	RFC Asset Management, LLC	12-12066 (MG)	06-1664678
48	RFC Borrower LLC	12-12068 (MG)	45-5065558
49	RFC Construction Funding, LLC	12-12069 (MG)	41-1925730
50	RFC REO LLC	12-12070 (MG)	45-5222407
51	RFC SFJV-2002, LLC	12-12071 (MG)	06-1664670

Proposed Attorneys for Debtors Darren M. Nashelsky Gary S. Lee Lorenzo Marinuzzi MORRISON & FOERSTER LLP 1290 Avenue of the Americas New York, New York 10104 Telephone: (212) 468-8000 Facsimile: (212) 468-7900	DATE, TIME, AND LOCATION OF MEETING OF CREDITORS PURSUANT TO BANKRUPTCY CODE SECTION 341(a) June 25, 2012 at 1:00 p.m. (ET) 80 Broad Street, Fourth Floor New York, New York 10004
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DEADLINE TO FILE A PROOF OF CLAIM None at this time. When the Bankruptcy Court sets a claims deadline, you will be notified and provided a proof of claim form by mail.

DEADLINE TO FILE A COMPLAINT TO DETERMINE DISCHARGEABILITY OF CERTAIN DEBTS
None at this time.

CREDITORS MAY NOT TAKE CERTAIN ACTIONS AGAINST THE DEBTORS IN MOST INSTANCES, BECAUSE THE FILING OF THE BANKRUPTCY CASE AUTOMATICALLY STAYS CERTAIN COLLECTION AND OTHER ACTIONS AGAINST THE DEBTORS AND THE DEBTORS' PROPERTY. UNDER CERTAIN CIRCUMSTANCES, THE STAY MAY BE LIMITED TO 30 DAYS OR NOT EXIST AT ALL, ALTHOUGH THE DEBTORS CAN REQUEST THE BANKRUPTCY COURT TO EXTEND OR IMPOSE A STAY. IF YOU ATTEMPT TO COLLECT A DEBT OR TAKE OTHER ACTION IN VIOLATION OF THE BANKRUPTCY CODE, YOU MAY BE PENALIZED. COMMON EXAMPLES OF PROHIBITED ACTIONS BY CREDITORS ARE CONTACTING THE DEBTORS TO DEMAND REPAYMENT, TAKING ACTION AGAINST THE DEBTORS TO COLLECT MONEY OWED TO CREDITORS OR TO TAKE PROPERTY OF THE DEBTORS, AND STARTING OR CONTINUING COLLECTION ACTIONS, FORECLOSURE ACTIONS, OR REPOSSESSIONS. CONSULT A LAWYER TO DETERMINE YOUR RIGHTS IN THIS CASE.

Address of the Clerk of the Bankruptcy Court Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004	For the Bankruptcy Court: Vito Genna Clerk of the Court, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004.
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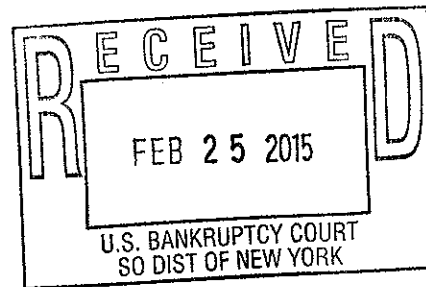
Hours Open: 8:30 a.m. - 5:00 p.m.	Date: May 24, 2012
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Filing of Chapter 11 Bankruptcy Case	A bankruptcy case under chapter 11 of the Bankruptcy Code (title 11, United States Code) has been filed in this Bankruptcy Court by each of the Debtors named above, and an order for relief has been entered. Chapter 11 allows a debtor to reorganize or liquidate pursuant to a plan. A plan is not effective unless confirmed by the Bankruptcy Court. You may be sent a copy of the plan and disclosure statement telling you about the plan, and you might have an opportunity to vote on the plan. You will be sent a notice of the date of the confirmation hearing, and you may object to confirmation of the plan and attend the confirmation hearing. Unless a trustee is serving, the Debtors will remain in possession of the Debtors' property and may continue to operate their business.
Legal Advice	Staff of the office of the Clerk of the Bankruptcy Court cannot give legal advice. Consult a lawyer to determine your rights in this case.
Creditors Generally May Not	Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the Debtors by telephone, mail, or otherwise to demand

Take Certain Actions	repayment; taking actions to collect money or obtain property from the Debtors; repossessing the Debtors' property; and starting or continuing lawsuits or foreclosures.
Meeting of Creditors	A meeting of creditors is scheduled for the date, time, and location listed above. <i>The Debtors' representative must be present at the meeting to be questioned under oath by the trustee and by creditors.</i> Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice.
Notice	You will not receive notice of all documents filed in these chapter 11 cases. On May 23, 2012, the Bankruptcy Court entered its Order Under bankruptcy Code Sections (102)(1), 105(a) and 105(d), Bankruptcy Rules 1015(c), 2002(m) and 9007 and Local Bankruptcy Rule 2002-2 Establishing Certain Notice, Case Management and Administrative Procedures (the "Notice Procedures Order"). The Notice Procedures Order describes the notice procedures that apply in these chapter 11 cases. All parties who desire to participate in these chapter 11 cases must follow the procedures set forth in the Notice Procedures Order. Parties can obtain a copy of the Notice Procedures Order and all other documents filed electronically with the Bankruptcy Court in these cases, including lists of the Debtors' property and debts, by: (i) contacting the office of the Clerk of the Bankruptcy Court at One Bowling Green, New York, New York 10004-1408, (ii) accessing the Bankruptcy Court's website at www.nysb.uscourts.gov . Note that a PACER (http://www.pacer.psc.uscourts.gov) password and login are needed to access documents on the Court's website; (iii) accessing the website maintained by the Debtors' claims and noticing agent at www.kecllc.net/rescap ; or (iv) contacting the Debtors' counsel at: Morrison & Foerster LLP, 1290 Avenue of the Americas, New York, New York 10104 (Attn: Darren M. Nashelsky, Esq., Gary S. Lee, Esq. and Lorenzo Marinuzzi, Esq.).
Claims	Schedules of liabilities will be filed pursuant to Bankruptcy Rule 1007. Any creditor holding a scheduled claim which is not identified as disputed, contingent, or unliquidated as to amount may, but is not required to, file a proof of claim in these cases. Creditors whose claims are not scheduled or whose claims are scheduled as disputed, contingent, or unliquidated as to amount and who desire to participate in these cases or share in any distribution must file a proof of claim. A creditor who relies on the schedule of liabilities has the responsibility for determining that the claim is listed accurately. A form of proof of claim and notice of the deadline for filing such proof of claim will be sent to you later. A deadline for the last day for filing proofs of claim has not yet been established.
Discharge of Debts	Confirmation of a chapter 11 plan may result in a discharge of debts, which may include all or part of your debt. See Bankruptcy Code § 1141(d). A discharge means that you may never try to collect the debt from the Debtors, except as provided in the plan. If you believe that a debt owed to you is not dischargeable under Bankruptcy Code § 1141(d)(6)(A), you must start a lawsuit by filing a complaint in the office of the Clerk of the Bankruptcy Court by the deadline established by the Bankruptcy Court.
Barclays DIP Order	<p>The Bankruptcy Court is considering the entry of several "final orders," including the final order (the "Barclays DIP Order") to grant the Debtors' Motion For Interim And Final Orders Pursuant To 11 U.S.C. §§ 105, 362, 363(b)(1), 363(f), 363(m), 364(c)(1), 364(c)(2), 364(c)(3), 364(d)(1) And 364(e) And Bankruptcy Rules 4001 And 6004 (I) Authorizing The Debtors To (A) Enter Into And Perform Under Receivables Purchase Agreements And Mortgage Loan Purchase And Contribution Agreements Relating To Initial Receivables And Mortgage Loans And Receivables Pooling Agreements Relating To Additional Receivables, And (B) Obtaining Postpetition Financing On A Secured, Superpriority Basis, (II) Scheduling A Final Hearing Pursuant To Bankruptcy Rules 4001(b) and 4001(c), And (III) Granting Related Relief.</p> <p>The Debtors are seeking to have the Barclays DIP Order provide, among other things, that the transfers of mortgage loans and servicing advance receivables from Debtors GMAC Mortgage LLC and Residential Funding Company LLC to Debtors GMACM Borrower LLC to RFC Borrower LLC were or are, as applicable, free and clear of all liens, claims and encumbrances pursuant to Section 363(f) of the Bankruptcy Code.</p>
Office of the Clerk of the Bankruptcy Court	Any paper that you file in these bankruptcy cases should be filed at the office of the Clerk of the Bankruptcy Court at the address listed in this notice. You may inspect all papers filed, including the list of the Debtors' property and debts and the list of property claimed as exempt, at the office of the Clerk of the Bankruptcy Court.
Foreign Creditors	Consult a lawyer familiar with United States bankruptcy law if you have any questions regarding your rights in this case.

Exhibit 5

**Debtor Defendants
Notice of Appearance
In Superior Court**



FILED

12 OCT 31 PM 1:35

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 12-2-19854-3 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF KING

DUNCAN K. ROBERTSON,

Plaintiff,

v.

GMAC MORTGAGE, LLC, et. al.

Defendants.

Case No. 12-2-19854-3

NOTICE OF APPEARANCE OF GMAC
MORTGAGE, LLC, EXECUTIVE
TRUSTEE SERVICES, LLC,
RESIDENTIAL FUNDING REAL
ESTATE HOLDINGS, LLC,
RESIDENTIAL FUNDING
CORPORATION, HOMECOMINGS
FINANCIAL, LLC, BANK OF NEW
YORK TRUST COMPANY, NA, AND JP
MORGAN CHASE BANK, NA

TO: Plaintiff

AND: Clerk of Court

PLEASE TAKE NOTICE that William G. Fig of Sussman Shank LLP hereby
appears in the above-entitled action as attorney for defendants GMAC Mortgage, LLC,
Executive Trustee Services, LLC, Residential Finding Real Estate Holdings, LLC,
Residential Funding Corporation, Homecomings Financial, LLC, JP Morgan Chase
Bank, NA, and Bank of New York Trust Company, NA, without waiving the questions of,
or defenses related to:

1. Lack of Jurisdiction Over the Subject Matter;
2. Lack of Jurisdiction Over the Person;
3. Improper Venue;

NOTICE OF APPEARANCE - Page 1

SUSSMAN SHANK LLP
ATTORNEYS AT LAW
1000 SW BROADWAY, SUITE 1400
PORTLAND, OREGON 97205-3089
TELEPHONE (503) 227-1111
FACSIMILE (503) 248-0130

4. Insufficiency of Process;
5. Insufficiency of Service of Process;
6. Failure to State a Claim Upon Which Relief May be Granted; and
7. Failure to Join a Party under CR 19.

PLEASE ALSO TAKE NOTICE that all further papers and pleadings directed to these defendants, except original process, should be served upon the undersigned at the address shown below.

Dated this 31st day of October, 2012.

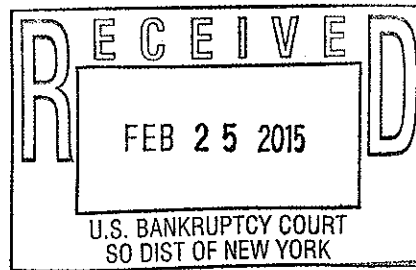
SUSSMAN SHANK LLP

By /s/ William G. Fig
William G. Fig, WSBA 33943
billf@sussmanshank.com
Attorneys for Defendants

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Exhibit 6

**Debtor Defendants Notice of Bankruptcy
And Voluntary Joinder To
Superior Court Action**



FILED

12 OCT 31 PM 1:35

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 12-2-19854-3 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF KING

DUNCAN K. ROBERTSON,	)	Case No. 12-2-19854-3
Plaintiff,)	
v.	)	NOTICE OF BANKRUPTCY OF GMAC
GMAC MORTGAGE, LLC, et. al.	)	MORTGAGE, LLC, EXECUTIVE
Defendants.	)	TRUSTEE SERVICES, LLC,
	)	RESIDENTIAL FUNDING REAL
	)	ESTATE HOLDINGS, LLC,
	)	RESIDENTIAL FUNDING
	)	CORPORATION, AND HOMECOMINGS
	)	FINANCIAL, LLC AND EFFECT OF
	)	AUTOMATIC STAY

TO: Plaintiff

AND: Clerk of Court

Defendants and debtors GMAC Mortgage, LLC, Executive Trustee Services, LLC, Residential Funding Real Estate Holdings, LLC, Residential Funding Corporation, and Homecomings Financial Network, Inc. (collectively the "Debtors"), by and through their undersigned counsel, in accordance and consistent with section 362(a) of the United States Bankruptcy Code, 11 U.S.C. §§ 101 *et seq.* (the "Bankruptcy Code"), respectfully submit this Notice of Bankruptcy and Effect of Automatic Stay, and state as follows:

1. On May 14, 2012 (the "Petition Date"), the Debtors and certain of its affiliates filed voluntary petitions (the "Petitions") under Chapter 11 of Title 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004-1408 (the "Bankruptcy Court"). The Debtors' case is jointly administered under the Chapter 11 Case for the Debtor

1 Residential Capital, LLC, et al., and is indexed as case number 12-12020 (the
2 "Bankruptcy Case").

3 2. As a result of the Bankruptcy Filing, on the Petition Date, the protections
4 of the automatic stay codified in section 362(a) of the Bankruptcy Code arose with
5 regard to the Debtors. Section 362(a), among other things, operates as an automatic
6 stay of: (i) "the commencement or continuation, including the issuance or employment
7 of process, of a judicial, administrative, or other action or proceeding" against the
8 Chapter 11 Debtors (11 U.S.C. § 362(a)(1)); (ii) acts to "obtain possession of property"
9 of the Debtors' Chapter 11 estates (11 U.S.C. § 362(a)(3)); and (iii) acts to "collect,
10 assess, or recover a claim" against the Debtors arising prior to the Petition Date (11
11 U.S.C. § 362(a)(6)).

12 3. On July 13, 2012, the Bankruptcy Court entered a Final Supplemental
13 Order granting, among other things, the Debtors' motion for limited relief from the
14 automatic stay to permit non-Debtor parties, in foreclosure and eviction proceedings,
15 borrower bankruptcy cases, and title disputes initiated by Debtors, to continue to assert
16 and prosecute certain defenses, claims and counterclaims in those cases and
17 proceedings (the "Final Supplemental Order"). Paragraphs 14, 15, 16, and 17 of the
18 Final Supplemental Order identify the categories of defenses, claims, and counterclaims
19 in those actions and proceedings for which the automatic stay has been modified (the
20 "Permitted Claims"). A copy of the Final Supplemental Order is attached hereto as
21 Exhibit 1.

22 4. As set forth in the Final Supplemental Order, Permitted Claims in a
23 foreclosure action are those asserted by a borrower, mortgagor, or lienholder (defined
24 as an "Interested Party") that relate "exclusively to the property that is the subject of the
25 loan owned or serviced by a Debtor for the purposes of defending, unwinding, or
26 otherwise enjoining or precluding any foreclosure, whether in a Judicial State or a Non-

1 Judicial State, or eviction proceeding...,” (Ex. A, ¶ 14(a)), and/or those that would
2 “terminate or preclude the prosecution and completion of a foreclosure” (*Id.*, ¶ 14(b)).
3 However, direct claims and counterclaims “for monetary relief of any kind and of any
4 nature against the Debtors,” and/or “for relief that if granted, would not terminate or
5 preclude the prosecution and completion of a foreclosure or eviction,” are not Permitted
6 Claims (*Id.*).

7 5. To the extent that the defenses, claims, and counterclaims do not
8 constitute Permitted Claims, they remain subject to the automatic stay, and the
9 continued prosecution of these claims is prohibited, except a claim for monetary relief
10 may proceed if it must be pled in order to allow an Interested Party to assert a claim or
11 defense that would enjoin or preclude a foreclosure (*Id.*, ¶ 14(b)(1)). “[U]nder no
12 circumstances shall an Interested Party be entitled to enforce against, recoup, set off or
13 collect from the Debtors any judgment or award related to any direct claim or
14 counterclaim for which the automatic stay has been lifted by the terms of this Order....”
15 (*Id.*, ¶ 14(d)).

16 6. With regard to this matter, plaintiff has asserted various claims against
17 Debtors that appear to arise from a non-judicial foreclosure action commenced against
18 a property in which he claims an interest that seeks relief that, if granted, would
19 terminate or preclude the foreclosure or subsequent foreclosure. These claims include
20 quiet title and wrongful foreclosure. These appear to fall within the definition of
21 Permitted Claims and may proceed. However, to the extent that such claims include a
22 demand for monetary relief, including a demand for attorney’s fees, such request for
23 monetary relief remains subject to the automatic stay, and the continued prosecution for
24 monetary relief is prohibited.

25 ///

26 ///

1 7. Plaintiff has also asserted various claims against Debtors that seek
2 monetary relief, or relief that would not terminate or preclude the prosecution and
3 completion of the foreclosure. These claims include: misrepresentation, trespass, fraud,
4 infliction of emotional distress, violation of duty of good faith and fair dealing, agency
5 liability, Washington's RICO statutes, violation of Washington's Consumer Protection
6 Act, and unjust enrichment. These claims appear to fall outside the definition of
7 Permitted Claims, and thus they remain subject to the automatic stay, and the continued
8 prosecution of these claims is prohibited.

9 8. Pursuant to paragraph 23 of the Final Supplemental Order, any dispute
10 regarding the extent, application, and/or effect of the automatic stay under the Final
11 Supplemental Order must be heard and determined in the United States Bankruptcy
12 Court for the Southern District of New York, jointly administered under Case No. 12-
13 12020, in accordance with the Case Management Order entered in the Debtors' case
14 [Docket No. 141] and such other and further orders as may be entered by the United
15 States Bankruptcy Court for the Southern District of New York.¹

16 9. This notice has been sent to counsel for plaintiff.

17 Dated this 31st day of October, 2012.

18 SUSSMAN SHANK LLP

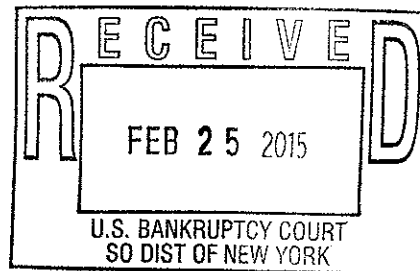
19
20 By /s/ William G. Fig
21 William G. Fig, WSBA 33943
22 billf@sussmanshank.com
23 Attorneys for Defendants

24
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26
¹ A copy of the Case Management Order may be obtained at no charge at <http://www.kccllc.net/rescap>.

Exhibit 7

Debtor Defendants Waiver of Service



1 William G. Fig, WSB No. 33943
SUSSMAN SHANK LLP
2 1000 SW Broadway, Suite 1400
Portland, OR 97205-3089
3 Telephone: (503) 227-1111
Facsimile: (503) 248-0130
4 E-Mail: wfig@sussmanshank.com

5 Attorney for GMAC Mortgage, LLC, Executive Trustee Services, LLC, Residential
Funding Real Estate Holdings, LLC, Residential Funding Corporation,
6 Residential Funding Company, LLC, and Homecomings Financial, LLC
7

8 IN THE UNITED STATES COURT

9 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

10 DUNCAN K. ROBERTSON,	)	Case No. 2:12-CV-02017-MJP
11 Plaintiff,)	
12 v.	)	ACCEPTANCE OF SERVICE OF
13 GMAC MORTGAGE, LLC, et. al.	)	PROCESS RE GMAC MORTGAGE,
14 Defendants.	)	LLC, EXECUTIVE TRUSTEE
15	)	SERVICES, LLC, RESIDENTIAL
	)	FUNDING REAL ESTATE HOLDINGS,
	)	LLC, RESIDENTIAL FUNDING
	)	CORPORATION, RESIDENTIAL
	)	FUNDING COMPANY, LLC AND
	)	HOMECOMINGS FINANCIAL, LLC

16
17 I, William G. Fig, hereby certify that I am the attorney for defendants GMAC
18 Mortgage, LLC, Executive Trustee Services, LLC, Residential Funding Real Estate
19 Holdings, LLC, Residential Funding Corporation, Residential Funding Company, LLC,
20 and Homecomings Financial, LLC (collectively "Defendants"). I hereby accept service of
21 the Summons and Complaint on their behalf and certify that I have authority to do so.

22 ///

23 ///

24 ///

25 ///

26 ///

ACCEPTANCE OF SERVICE OF SUMMONS AND
COMPLAINT - Page 1

SUSSMAN SHANK LLP
ATTORNEYS AT LAW
1000 SW BROADWAY, SUITE 1400
PORTLAND, OREGON 97205-3089
TELEPHONE (503) 227-1111
FACSIMILE (503) 248-0130

1 Defendants waive any defense of insufficiency of the Summons or insufficiency of
2 service of process. Defendants reserve any and all other defenses.

3 Dated this 6th day of February, 2013.

4 SUSSMAN SHANK LLP

5
6 By /s/ William G. Fig
William G. Fig, WSBA 33943
billf@sussmanshank.com
7 Attorneys for GMAC Mortgage, LLC, Executive Trustee
8 Services, LLC, Residential Funding Real Estate Holdings,
9 LLC, Residential Funding Corporation, Residential
Funding Company, LLC, and Homecomings Financial,
10 LLC
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ACCEPTANCE OF SERVICE OF SUMMONS AND
COMPLAINT - Page 2

SUSSMAN SHANK LLP
ATTORNEYS AT LAW
1000 SW BROADWAY, SUITE 1400
PORTLAND, OREGON 97205-3089
TELEPHONE (503) 227-1111
FACSIMILE (503) 248-0130

CERTIFICATE OF SERVICE

THE UNDERSIGNED certifies:

1. My name is Karen D. Muir. I am a citizen of Washington County, state of Oregon, over the age of eighteen (18) years and not a party to this action.

2. On February 6, 2013, I caused to be delivered via email through the court's ECF system a copy of **ACCEPTANCE OF SERVICE OF PROCESS RE GMAC MORTGAGE, LLC, EXECUTIVE TRUSTEE SERVICES, LLC, RESIDENTIAL FUNDING REAL ESTATE HOLDINGS, LLC, RESIDENTIAL FUNDING CORPORATION, RESIDENTIAL FUNDING COMPANY, LLC AND HOMECOMINGS FINANCIAL, LLC** to the interested parties of record, addressed as follows:

Aaron M. Neilson	aneilson@hansonbaker.com ; Aaron.neilson@gmail.com
David John Lenci	david.lenci@klgates.com Judy.goldfarb@klgates.com
Duncan K. Robertson	uncadunc1@aol.com
Fred B. Burnside	fredburnside@dwt.com cindybourne@dwt.com lisabass@dwt.com seadocket@dwt.com
Jennifer Lee Treadwell Karol	jkarol@hansonbaker.com
Matthew S. Sullivan	aburt@hansonbaker.com matthewsullivan@dwt.com deniseratti@dwt.com seadocket@dwt.com
Peter Anthony Talevich	peter.talevich@klgates.com

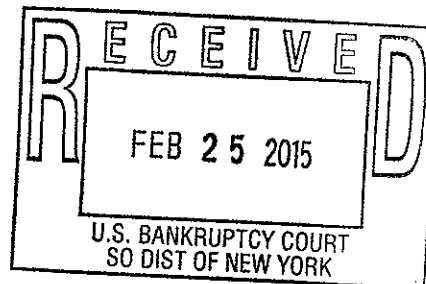
I SWEAR UNDER PENALTY OF PERJURY that the foregoing is true and correct to the best of my knowledge, information, and belief.

/s/ Karen D. Muir
Karen D. Muir, Legal Assistant

20809-0821ACCEPTANCE OF SERVICE (01504096);1

Exhibit 8

**District Court Order to Show Cause
Why All Debtor Defendants Claims
Should Not Be Stayed**



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7
8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DUNCAN K ROBERTSON,

11 Plaintiff,

12 v.

13 GMAC MORTGAGE LLC, et. al.

14 Defendants.

CASE NO. C12-2017-MJP

MINUTE ORDER

15
16 The following Minute Order is made by direction of the Court, the Honorable Marsha J.
17 Pechman, United States District Judge:

18 Having received Defendants' Notice of Bankruptcy and Automatic Stay (Dkt. No. 55),
19 Plaintiff is directed to show cause why his claims against Defendants GMAC Mortgage,
20 LLC, Executive Trustee Services LLC, Residential Funding Real Estate Holdings, LLC,
21 Residential Funding Corporation, Residential Funding Company, LLC, and Homecomings
22 Financial Network, Inc., are not stayed by the order of the United States Bankruptcy Court of the
23 Southern District of New York (Dkt. No. 55 at 5-23.). Plaintiff shall have 20 days from the entry
24 of this order to file a response of no more than 10 pages.

1 The clerk is ordered to provide copies of this order to all counsel.

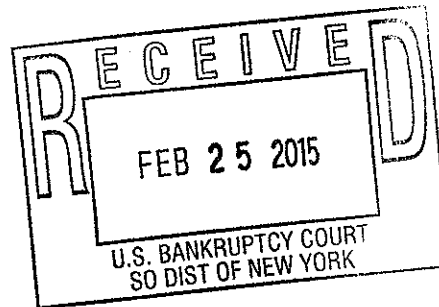
2 Filed this 12th day of February, 2013.

3
4 William M. McCool
Clerk of Court

5 s/Mary Duett
6 Deputy Clerk
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Exhibit 9

**Robertson Response to Show Cause
Why All Debtor Defendants Claims
Should Not Be Stayed**



Honorable Judge Marsha Pechman

**U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

Duncan K. Robertson,
Plaintiff,

vs.

Case 2:12-cv-02017

**Response to Show Cause Order
(Dkt. 75)**

GMAC Mortgage, LLC; Executive
Trustee Services, LLC; Residential
Funding Real Estate Holdings, LLC;
Residential Funding Company, LLC;
Residential Funding Corporation;
Homecomings Financial, LLC; LSI Title
Agency, Inc.; JP Morgan Chase Bank
N.A.; Bank One National Association;
Bank of New York Trust Company N.A.;
First American Title Insurance Company;
DOES 1- 100; and all other persons or
parties unknown claiming any right, title,
estate, lien, or interest in the real estate
described in Plaintiff's complaint,

Submitted by Duncan K. Robertson, Plaintiff

Defendants.

RESPONSE TO SHOW CAUSE ORDER
(Dkt. 75)

**Response to Show Cause Order
(Dkt. 75)**

DUNCAN K. ROBERTSON
3520 SE Harold Court
Portland, OR 97202-4344
Phone: 503-775-9164
Fax: 503-775-9164
Email: uncadunc1@aol.com

1 I hereby respond to the Courts Order to Show Cause why stay should not be fully
2 enforced as against certain Defendants in this Action.

3 Bankruptcy Defendants, filed that included this language:

4 "With regard to this matter, plaintiff has asserted various claims against Debtors
5 that appear to arise from a (sic) non-judicial foreclosure action commenced against
6 a property in which he claims an interest that seeks relief that, if granted, would
7 terminate or preclude the foreclosure or subsequent foreclosure. These claims
8 include quiet title and wrongful foreclosure. **These appear to fall within the
definition of Permitted Claims and may proceed.** However, to the extent that
such claims include a demand for monetary relief, including a demand for
attorney's fees, such request for monetary relief remains subject to the automatic
stay, and the continued prosecution for monetary relief is prohibited."

9 Dkt. 55 at ¶ 6. (emphasis supplied) See also Dkt. 4 at 49-52, and 53-71.

10 Defendants conceded quiet title and declaratory and injunctive relief to preclude
11 foreclosure and or terminate legal or equitable interest in property under quiet title fall within
12 actions that are relieved from the automatic stay.

13 Additionally, with respect to any other claim asserted Plaintiff is aware relief from the
14 automatic stay must be sought in the court in which the bankruptcy is filed. Plaintiff intends to
15 seek such relief when I can figure out the process for doing so.

16 CONCLUSION

17 There is no disagreement that portions of my claims, especially as to monetary
18 recovery, remain stayed in this case. However, the areas of current dispute under the
19 definition of "Title Disputes" above, clearly lifts stay for the clearing of my property record
20 and establishment of right as against all Bankruptcy Defendants

21
22
23
Response to Show Cause Order
(Dkt. 75)

DUNCAN K. ROBERTSON
3520 SE Harold Court
Portland, OR 97202-4344
Phone: 503-775-9164
Fax: 503-775-9164
Email: uncadunc1@aol.com

1 Dated: March 5, 2013
2 Portland, Oregon

Duncan K. Robertson, Plaintiff Pro Se

S/ Duncan K. Robertson

Duncan K. Robertson

3520 SE Harold Court

Portland, OR 97202-4344

Telephone & Fax: (503)775-9164

Uncadunc1@aol.com

23
Response to Show Cause Order
(Dkt. 75)

DUNCAN K. ROBERTSON

3520 SE Harold Court

Portland, OR 97202-4344

Phone: 503-775-9164

Fax: 503-775-9164

Email: uncadunc1@aol.com

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below I caused a copy of the foregoing

RESPONSE TO ORDER TO SHOW CAUSE (Dkt. 75)

to be served upon the following:

William G. Fig
Sussman Shank, LLP
1000 SW Broadway, Suite 1400
Portland, OR 97205-3089
wfig@sussmanshank.com

() By U. S. Mail
(X) By E-Mail
() By Facsimile
() By Messenger

Jennifer T. Karol
Hanson Baker Ludlow Drumheller P.S.
2229 - 112th Avenue NE, Suite 200
Bellevue, WA 98004-2936
jkarol@hansonbaker.com
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() By U. S. Mail
(X) By E-Mail
() By Facsimile
() By Messenger

Fred Burnside,
Matthew S. Sullivan
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
Email: fredburnside@dwt.com
matthewsullivan@dwt.com

() By U. S. Mail
(X) By E-Mail
() By Facsimile
() By Messenger

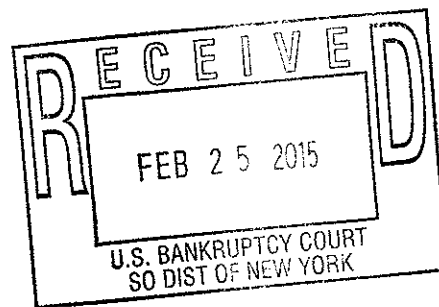
Dated: March 5, 2013
Portland, Oregon

s/ Duncan K. Robertson
Duncan K. Robertson

CERTIFICATE OF SERVICE
Case No. 2:12-cv-02017-MJP

Exhibit 10

**Residential Funding Company LLC's
Notice Of Bankruptcy Status**



FILED

15 JAN 29 PM 3:00

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 14-2-20431-1 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF KING

21ST MORRGAGE CORPORATION, a
Delaware corporation,

Plaintiff,

v.

LINDA C. NICHOLLS; DUNCAN K.
ROBERTSON; and JANE DOE
ROBERTSON, and the marital community
composed thereof,

Defendants/Third-Party Plaintiffs,

RESIDENTIAL FUNDING COMPANY,
LLC, a limited liability company; OCWEN
LOAN SERVICING, LLC, a limited liability
company; NORTHWEST TRUSTEE
SERVICES, INC., a Washington
corporation; MARY A. MILLER, an Iowa
resident; TYRONE THORGOOD, a
Pennsylvania resident; DOES 1-10,

Third-Party Defendants.

Case No. 14-2-20431-1SEA

**RESIDENTIAL FUNDING COMPANY
LLC'S NOTICE OF BANKRUPTCY
STATUS**

Residential Funding Company, LLC ("RFC"), by and through its undersigned
counsel, respectfully submits this Notice of Bankruptcy Status, and states as follows:

1. On May 14, 2012 (the "Petition Date"), Residential Capital, LLC and
certain of its direct and indirect subsidiaries, including RFC (collectively, the "Debtors"),

RESIDENTIAL FUNDING COMPANY LLC'S NOTICE OF
BANKRUPTCY STATUS - Page 1

SUSSMAN SHANK LLP
ATTORNEYS AT LAW
1000 SW BROADWAY, SUITE 1400
PORTLAND, OREGON 97205-3089
TELEPHONE (503) 227-1111
FACSIMILE (503) 248-0130

1 filed voluntary petitions for relief under Chapter 11 of the Bankruptcy Code in the United
2 States Bankruptcy Court for the Southern District of New York (the "Bankruptcy Court").
3 The Debtors' Chapter 11 cases (the "Bankruptcy Cases") are being jointly administered,
4 indexed at case number 12-12020 (MG).

5 2. Third-party Plaintiff Robertson acknowledges that he is aware of the
6 Bankruptcy Cases, as set forth in his Third-Party Complaint, at paragraph 6.4.
7 Furthermore, Third-Party Plaintiff Robertson filed a proof of claim against RFC in the
8 Bankruptcy Cases, premised upon a related matter, Case 2:12-cv-02017-MJP, in the
9 United States District Court, Western District of Washington¹.

10 3. On December 11, 2013, the Bankruptcy Court entered its Order
11 Confirming Second Amended Joint Chapter 11 Plan Proposed by Residential Capital,
12 LLC, et al, and the Official Committee of Unsecured Creditors (the "Confirmation Order")
13 [Bankruptcy Docket 6065]² approving the terms of the Chapter 11 plan, as amended
14 (the "Plan"). The effective date under the Plan occurred on December 17, 2013 (the
15 "Effective Date").

16 4. Both the Plan and Confirmation Order provide for the extension of the
17 automatic stay beyond the Effective Date and provide that the injunctive provisions of
18 the Plan and Confirmation Order will remain in full force and effect following the
19 Effective Date (Confirmation Order, ¶ 63(g); Plan, Art. XIII.K). **Moreover, both**
20 **Section G of Paragraph 40 of the Confirmation Order and Article IX.I of the Plan**
21 **contain an "Injunction" provision that, among other things, enjoins all parties**
22 **from "commencing or continuing in any manner or action or other proceeding of**
23 **any kind" relating to claims that are released under the Plan.**

24 ////

25 _____
26 ¹ Removed from King County Superior Court, case 12-2-19854-3 SEA, in which Third-party Plaintiff Robertson named RFC as a defendant.

² Due to its voluminous nature, the Confirmation Order, to which the Plan is an exhibit, is not included as an attachment, but a copy of the Confirmation Order and the Plan may be obtained at no charge at <http://www.kcclic.net/rescap>.

1 5. Article VIII.B of the Plan provides that the claim of any creditor of the
2 Debtors that failed to file a proof of claim by the applicable deadline "SHALL BE
3 DEEMED DISALLOWED, DISCHARGED, RELEASED, AND EXPUNGED AS OF THE
4 EFFECTIVE DATE WITHOUT ANY FURTHER NOTICE TO OR ACTION, ORDER, OR
5 APPROVAL OF THE BANKRUPTCY COURT, AND HOLDERS OF SUCH CLAIMS
6 MAY NOT RECEIVE ANY DISTRIBUTIONS ON ACCOUNT OF SUCH CLAIMS,
7 UNLESS SUCH LATE PROOF OF CLAIM IS DEEMED TIMELY FILED BY A FINAL
8 ORDER OF THE BANKRUPTCY COURT" (emphasis in original).

9 6. In addition, pursuant to Article XII of the Plan and Paragraph 66 of the
10 Confirmation Order, the Bankruptcy Court retained exclusive jurisdiction to hear all
11 matters pertaining to the injunction provided for in the Plan and Confirmation Order.
12 Specifically, the Plan provides as follows:

13 **RETENTION OF JURISDICTION**

14 Notwithstanding the entry of the Confirmation Order and the
15 occurrence of the Effective Date, on and after the Effective Date,
16 the Bankruptcy Court shall retain exclusive jurisdiction over all
17 matters arising out of, or related to, the Chapter 11 Cases and the
18 Plan pursuant to sections 105(a) and 1142 of the Bankruptcy Code,
19 including jurisdiction:

20 (c) to hear and determine any matter, case, controversy, suit,
21 dispute, or Causes of Action: (i) regarding the existence,
22 nature, and scope of the releases, injunctions, and exculpation
23 provided under the Plan, and (ii) enter such orders as may be
24 necessary or appropriate to implement such releases,
25 injunctions, and other provisions;

26 (Plan, Art. XII) (emphasis added). In addition, the Confirmation Order provides
as follows:

Retention of Jurisdiction. The business and assets of the Debtors
shall remain subject to the jurisdiction of this Court until the
Effective Date. Notwithstanding the entry of this Order, from and
after the Effective Date, the Court shall retain such jurisdiction over
the Chapter 11 Cases as is legally permissible, including

1 jurisdiction over those matters and issues described in Article XII of
2 the Plan, including with respect to (i) insurance settlements and
3 disputes involving insurance policies settled or otherwise
4 addressed under or in connection with the Plan, and (ii) the Claims
5 filed by WFBNA in these Chapter 11 Cases and any Claims or
6 Causes of Action that may be asserted by WFBNA against any of
7 the Ally Released Parties.

8 (Confirmation Order, ¶ 66).

9 7. According to the Debtors' records, Third-Party Plaintiff Robertson has filed
10 more than one proof of claim against RFC, and other ResCap entities in the Bankruptcy
11 Cases, for claims unrelated to the litigation. Section 362(c)(2)(A) provides that the
12 automatic stay imposed by Section 362(a) continues until the time the case is closed,
13 and notwithstanding entry of the Confirmation Order, the Debtors' bankruptcy case
14 remains open. The validity and enforceability of the claims filed by Third-Party Plaintiff
15 Robertson will be resolved by the Borrowers Claims Trust in accordance with the claims
16 resolution process established by the Plan and Confirmation Order.

17 8. Third-Party Plaintiff Robertson filed the present matter with actual notice of
18 the Bankruptcy Cases and in contradiction to the automatic stay imposed by
19 Section 362. Third-Party Plaintiff Robertson did not, and could not, file a proof of claim
20 in the Bankruptcy Cases as it relates to the present matter, and is barred from
21 continuing to prosecute this action against RFC. Within a reasonable time after the
22 filing of this Notice of Bankruptcy Status, RFC shall contact Third-Party Plaintiff
23 Robertson in writing and request that he agree to dismiss RFC from this action. In the
24 absence of a consensual dismissal, in accordance with the Plan and Confirmation
25 Order, RFC shall seek relief from the Bankruptcy Court in the form of an order (i)
26 violating the automatic stay, (ii) enforcing the injunctive provisions of the Plan and
Confirmation Order, and (iii) prohibiting Third-Party Plaintiff Robertson from continuing
prosecution of this action against RFC.

///

1 9. For the avoidance of doubt, RFC is not seeking any relief from the Court
2 by this Notice of Bankruptcy Status, and is submitting this Notice of Bankruptcy Status
3 solely for the purpose of providing the Court and the parties to this action with a notice
4 of the Bankruptcy Cases.

5 Respectfully submitted this 29th day of January, 2015.

6 SUSSMAN SHANK LLP

7
8 By /s/ William G. Fig
9 William G. Fig, WSBA 33943
 wfig@sussmanshank.com
 Attorneys for Residential Funding Company, LLC

10 *20809-082\NOTICE OF BANKRUPTCY (02029780);1

CERTIFICATE OF SERVICE

THE UNDERSIGNED certifies:

1. My name is Karen D. Muir. I am a citizen of Washington County, state of Oregon, over the age of eighteen (18) years and not a party to this action.

2. On January 29, 2015, I caused to be delivered via **first-class U.S. Mail, postage prepaid**, a copy of: **RESIDENTIAL FUNDING COMPANY LLC'S NOTICE OF BANKRUPTCY STATUS** to the interested parties of record, addressed as follows:

John Weil
Weil & Lewandowski LLP
10300 SW Greenburg Rd, Suite 430
Portland, OR 97223
Attorneys for Plaintiff

Scott E. Stafne
Joshua B. Trumbull
Brian J. Fisher
Stafne Trumbull, PLLC
239 North Olympic Avenue
Arlington, WA 98223
Attorneys for Defendant/Third-Party Plaintiff Donald Robertson

I SWEAR UNDER PENALTY OF PERJURY that the foregoing is true and correct to the best of my knowledge, information, and belief.

/s/ Karen D. Muir
Karen D. Muir, Legal Assistant